

RULE

**Department of Economic Development
Office of Financial Institutions**

NSF Collection Fees (LAC 10:XV.507)

Editor's Note: The following Rule is being repromulgated to correct a typographical error. The original rule may be viewed on page 990 of the May 20, 2000 *Louisiana Register*.

Under the authority of the Louisiana Administrative Procedure Act, R.S. 49:950, et seq., and in accordance with the Collection Agency Regulation Act, R.S. 9:3576.1, et seq., and specifically, R.S. 9:3576.4, and pursuant to Louisiana Attorney General Opinion 98-257, the acting commissioner of financial institutions hereby repromulgates the following rule that regulates the licensing, operations and practices of collection agencies and debt collectors to protect the welfare of the citizens of Louisiana, by clarifying the amount of fees which may be collected by collection agencies and debt collectors for debts involving checks returned for nonsufficient funds.

Title 10

**FINANCIAL INSTITUTIONS, CONSUMER CREDIT,
INVESTMENT SECURITIES AND UCC**

Part XV. Other Regulated Entities

Chapter 5. Debt Collection Agencies

§507. Collection of Nonsufficient Funds Fees

A. Purpose. In connection with the recovery of sums represented by returned checks for their clients, certain debt collection agencies are collecting service fees in excess of those allowed by law. The commissioner of the Office of Financial Institutions is statutorily mandated to implement the provisions of the Collection Agency Regulation Act, (CARA), R.S. 9:3516.1, et seq., as amended, to regulate the licensing, operations, and practices of collection agencies and debt collectors to protect the welfare of the citizens of Louisiana. This rule is being promulgated to clarify the amount of fees and charges which may be collected by debt collection agencies for debts involving checks returned for nonsufficient funds.

B. Definitions. The definitions for the terms utilized in this rule are the same as those provided for in the definitions section of the CARA, and specifically R.S. 9:3576.3.

C. Collection by a debt collection agency. In a debt collection agency's collection of claims represented by checks returned to its clients for nonsufficient funds, the debt collection agency may collect only those fees and charges allowed by Louisiana law, including but not limited to R.S. 9:2782.

D. Action. The commissioner may order a debt collection agency to return any fees and charges in excess of those allowed by Louisiana law. Failure to comply with this rule or the commissioner's order shall constitute a violation of the CARA and may subject the debt collection agency to administrative and/or enforcement action by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 9:3576.4

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Financial Institutions, LR 26:990 (May 2000), repromulgated LR.28:1172 (June 2002).

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RULE

Board of Elementary and Secondary Education

**Bulletin 102C Louisiana Physical Education
Content Standards
(LAC 28:LIII.Chapters 1 - 11)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has adopted Bulletin 102, *Louisiana Physical Education Content Standards*. Bulletin 102 will be printed in codified format as Part LIII of Title 28 of the Louisiana Administrative Code. The *Louisiana Physical Education Content Standards* will be disseminated to local school districts following publication. The standards and benchmarks therein will be used to guide curriculum development for all physical education courses. Implementation of the guidelines set forth in the *Louisiana Physical Education Content Standards* will improve educational practices and coherence in the local physical education programs. The *Louisiana Physical Education Content Standards* will align the curriculum with desired changes to promote a more relevant physical education curriculum for all students.

Title 28

EDUCATION

**Part LIII. Louisiana Physical Education Content
Standards**

Subpart 1. Teaching and Learning Criteria

Chapter 1. General Provisions

§101. Introduction

A. Louisiana State Physical Education Standards are based on the National Physical Education Standards developed by the National Association for Sport and Physical Education. This standards document is not a state curriculum or a predetermined course of study, rather, it speaks of competencies, defining what a student should know and be able to do. Teachers in the state of Louisiana are encouraged and empowered to create their own physical education curriculum that would best help their students meet these standards.

B. Standards-based reform seeks to establish clear, attainable standards at internationally competitive levels for all students. Because the standards are consensus statements about what a student should "know and be able to do," they provide a basis for student assessment, and for evaluating programs, at national, state, and local levels.

C. A significant benefit to physical education offered through the delineation of a comprehensive set of standards and accompanying assessments is that they combat the uninformed idea that physical education is an "academically